

SCHLEY PROMISES TO ACT: WILL DEMAND COURT OF INQUIRY AND BRING CIVIL SUIT.

According to a Telegram That He Has Sent to Washington—The Navy Department Not Yet Notified—The Admiral to Bring Suit Against the Publishers of Macley's History.

WASHINGTON, July 23.—After nearly three years of silence under the lash of official and unofficial charges against his character as a man and his reputation as a naval officer, Rear Admiral Winfield Scott Schley has at last come forward with a promise that he will demand a court of inquiry, and also bring civil suit against the publishers of Edgar Stanton Macley's history of the United States Navy for the criticism in that work that are tantamount to accusations of cowardice against the commander of the Flying Squadron.

A telegram was received here to-night from Admiral Schley, in which he said he would take the action mentioned. He has not, however, communicated with the Navy Department on the subject. If he redeems the promise made in his message to ask for an official investigation it will be gratifying to the naval authorities who have from the beginning thought that this course was necessary to redeem Admiral Schley from the stigma that has been cast on his own reputation and the good name of the Navy by his policy of silence.

There can be no doubt that Schley's friends have forced him to take radical action. It was the Schley newspapers that began the agitation over Mr. Macley's reference to Schley as a coward and to what Mr. Macley termed "his cliff fight" from the enemy Schley's failure to take prompt action against Mr. Macley or the Appletons, who published the work, has caused murmurings even among his defenders. Naval officers who have heretofore refused to be drawn into any discussion as to the merits of the Schley controversy have been showing some feeling over the silence of Admiral Schley under the latest attack on his integrity and professional standing, while those officers who have not been so reticent have not failed to express themselves freely on the subject.

Perhaps the most significant thing in connection with the changed attitude of Schley's friends is an editorial in to-day's Washington Post, with the caption "Admiral Schley must act." The Post, which has been foremost in defense of Admiral Schley and in attacking Admiral Sampson, said that "Schley's time for explanation has come," and that he "owes it to the country, to his friends, and to the truth of history, to arrange the author, together with his advisers and abettors, of the Macley attack upon his honor as a man, his integrity as a United States officer."

The Post telegraphed the substance of this interview to Admiral Schley last night and called on him to take action. To-night he responded that he was preparing to ask for a Court of Inquiry and would also enter suit against the publishers of Macley's book.

The statements in the Schley press that if a Court of Inquiry were ordered, enough officers senior to Schley, who would judge his case impartially, could not be obtained, were not lost on the Navy Department, which has given some thought to the matter of obtaining a court that would be freed from any taint of suspicion that any of its members were prejudiced against the accused officer.

Under the naval regulations retired officers can be drafted for Court Martial and Court of Inquiry service; and the Navy Department, from what was learned by The Sun reporter, has made note of the names of a number of Rear Admirals on the retired list who are available. These include Stephen B. Luce of Newport, R. I.; Lewis A. Kimberly of West Newton, Mass.; Andrew E. K. Bamham of Washington, D. C.; Francis M. Ramsey of Washington, D. C.; and Thomas O. Selfridge, Jr., of Washington, D. C. All these officers were retired prior to the beginning of the war with Spain. In addition to these there are the following officers on the active list senior to Admiral Schley: Admiral George Dewey and Rear Admirals John A. Howard, George C. Remey, Norman Farquhar and John C. Watson.

There is a free field from which to select, and Admiral Schley will have the unusual privilege of challenging any member or members who may be objectionable to him. This statement is based on the knowledge that the naval authorities desire that any official investigation of Admiral Schley's conduct shall be above suspicion.

Retired officers have taken little part in discussing the merits of the accusations against Admiral Schley and they have nothing to gain by a display of prejudice. As for the officers on the active list senior to Schley, all of them are senior to Sampson also, and the Navy Department is willing to entrust the adjudication of the case to them, despite reports that there was resentment against Sampson among officers above him on the active list because he had been jumped over them when only a captain, in his assignment to command the North Atlantic Naval force.

A Court of Inquiry has comprehensive powers. The scope of its investigation is practically unlimited. In the Schley case it will have the right to inquire into every charge, official and unofficial, affecting the private and professional character of the accused officer.

It may consist of from one to three officers and a Judge Advocate. Its duties are similar to those of a Grand Jury, and it has the right, if so directed by the convening authority to make such recommendations and give such opinions as it sees fit concerning the further disposition of the Navy Department with regard to the officer under investigation.

Thus the court in the Schley case will have the right to say whether, in its opinion, Admiral Schley should be tried by court martial or whether any further proceedings are necessary. Ordinary courts of inquiry are held behind closed doors, but the court has the right to say whether there shall be an open session.

In the Schley case, where the court will

CAME TO LICK FRANK MOSS.

TOUGHS AT AN EAST SIDE CITY VIGILANCE MEETING.

Moss Calls Them Allen Street Panders and Lottery Swindlers, and the Police Haul Them and Cut Them—Although, It's Lively in Tammany's Fourth District.

Frank Moss added another turbulent experience to his collection last night when he spoke at a meeting held at the Hebrew Educational Alliance, East Broadway and Jefferson street, and arranged by the City Vigilance League. This meeting was the first to be held by the league on the East Side in connection with its anti-Tammany campaign for Mayor. Mr. Moss had been told that he might expect rough treatment. He was accompanied to the meeting by Supt. Thomas L. McClintock of the league and ten of the league's agents, under command of Chief Agent Hammond and his right-hand man, Agent Dillon. Police Capt. Fitzpatrick had fifty policemen there in uniform and twelve men in plain clothes.

All these precautions were taken because, for the past few days, the Hebrew papers printed on the East Side had contained stories about a book Mr. Moss published in 1883, entitled, "The American Metropolis," in which, it is alleged, he attacked the Jews. This passage from the book was printed in large type in the Hebrew papers:

"The ignorance and uncleanness of the Russian and Polish Hebrews are not their only faults. It is well known that this part of the city is the haunt of criminals. The predisposition we find among many of these persons to commit crime is known to all."

The Rev. Levi Hirsch Masliansky, a preacher and orator of note on the East Side, was down on the program to speak from the same platform as Mr. Moss. The Hebrew papers demanded that Rabbi Masliansky should refuse to speak and they also suggested that Hebrews knew how to treat men who insulted them. Rabbi Masliansky insisted on speaking, however.

When Mr. Moss got up to speak he was greeted with hisses, catcalls, jeers and applause. A number of young men started down two of the aisles toward the platform. There were twelve of them in all, and they were headed off and hustled back. They attempted to get by the policemen, jeering and hooting as they did so. The plain-clothes men hustled them out of the hall. In the street some of the disturbers showed fight. Wardman Hayes knocked two of them down.

Inside, when Mr. Moss got a chance, he said: "There are three classes of persons in this hall who are hissing. One are the plump, fat, Allen street panders, who since they existed, and I will fight until they are driven out of business [jeers and loud applause]. Another class is composed of the friends of the Hebrew newspapers, whose business of printing lottery advertisements I have been instrumental in breaking up. The other class is composed of the Hebrews, who believe honestly that I am an enemy of the Hebrew race. For that class of Jews I have nothing but respect. As for the plump, fat, Allen street panders, I would strangle every mother's son of them, if I could. As for the men who print lottery advertisements to swindle you out of your money, I would drive them out of business. I would do it in the East Side, I have been fighting your battles for years. There should be no differences between us. If I have done wrong, I will atone for it. I am innocent. I am ready to say that I am sorry. Here is my hand, and there is not an honest man or woman among you who will not shake hands with me. I wrote, and I believed what I said when I did write it. I was fresh from my experiences with Max Hochstadt and Reg. Holman Smith, and they put me and Charlie Kramer and Edman Sugar. They were the men who held the East Side in the hollows of their hands. They were the ones who encouraged you to send your brethren to the penitentiary on a strange land. They were the ones who would have desecrated your homes. I fought them in their own backyards, I dragged them to the police court, and I was hooted and stoned through the streets of this East Side. It was after my experience with them that I wrote that book. I may have been harsh, but I was right. I was wrong conclusions as to the rank and file of the men and women of this East Side, and if I did I am ready to say that I am sorry. We all have the same blood, and I make one I am ready to admit it."

By this time Mr. Moss had his jeers in the hall all cheering. When the meeting was over the hall was cleared, and Moss and his friends retired to an upper room to wait for the billings in the street to get away. They hung around until heaped with flowers and they were some jeering and some shouting. One young man with an undershirt jaw was particularly obstreperous, and called upon his companion to down the house of the owner. Hammond grabbed the young man by the neck and twisted it until the fellow keeled over. The rest of the crowd hooped Mr. Moss, and he had only \$20.00 in gold dust and nuggets.

The only prominent passengers were Gov. William Ogilvie and Bishop Rowe, who were seated in the front of the steamer. The steamer had been fogbound off the Golden Gate since Sunday morning, the captain not daring to enter with his valuable cargo.

ANTIOXIN FOR DOWIE PATIENTS. Zionist Leader Makes No Effort to Oppose the Attempt to Save Two Children's Lives. Chicago, July 23.—Elijah Dowie backed down a few moments of antioxin triumph over prayer in a Zionist home at 1411 Michigan avenue. He permitted Dr. Walls of the Health Department to use antioxin to relieve two daughters of Mrs. King who are ill with diphtheria. The patients are better. Days of praying had failed to accomplish a few moments of antioxin accomplished. This is the first time that Dowie has permitted a doctor to treat one of his patients.

Drave Dowieites Out of Town. Kokomo, Ind., July 23.—The Rev. George Shelley and Miss Mary Farris, of Galveston, were mobbed at Walton, last night, and driven from the village by a crowd of men and boys, who hurled stage stones and clubs at them. Walton was a Dowie organization and Shelley and Miss Farris were Dowie followers in the town hall. As they entered the village a crowd, which had already gathered, assailed the Dowieites and pelted them with missiles. Miss Farris is in Kokomo, consulting lawyers to bring damage suits.

LONG DROWNED BOY CAME TO.

Doctor Revived Young Schaefer After His Body Was Towed Half a Mile to Shore.

George Schaefer, 17 years old, the son of Jacob Schaefer, an undertaker at Fortieth street and Third avenue, Brooklyn, and two companions, George Watson, 15 years old, and Charles Johnson, 16, got a row boat last night and went out about a half mile from the foot of Thirty-fifth street, Brooklyn, to bathe. They dived several times and finally Schaefer did not come up. His companions waited a few seconds and then Watson dived for him. He did this four times without finding Schaefer. The fifth time he brought up his body.

Apparently Schaefer was dead and the boys tied a rope around the body and towed it ashore. Schaefer had been in the water so long and his body was so evidently lifeless that they didn't even bury it. It was a half mile row to the dock. When they reached it the boys were in doubt whether to leave the body in the water and await the action of the coroner or to put it on the dock.

While they were discussing what to do Dr. G. E. Barney of 401 Third street, Brooklyn, came up in his steam launch. Alms Dr. Barney said that at first he didn't see any signs of life and had made up his mind that Schaefer was dead, when he noticed a quiver of the eyelid. The doctor then made the boys carry the body to the dock where he began to work over it, though it seemed a hopeless job. The doctor and the two boys rolled Schaefer on a barrel, worked his arms, breathed into his mouth and bathed him with ammonia. After nearly half an hour's work Schaefer showed signs of reviving. In another half hour he was conscious. An ambulance was called and Schaefer was taken to the Norwegian Hospital. It was said there late last night that he was doing nicely and would probably be able to leave the hospital this afternoon.

Schaefer was in the water twenty-five minutes after becoming unconscious. Dr. Barney said it is the most remarkable case of recovery he has ever heard of.

FIREWORKS FACTORY BLOWS UP.

Ten Small Buildings Demolished by the Explosion—Two Girls Hurt.

An explosion at 2nd-2nd 5 o'clock last evening in one of the small buildings at Lloyd's fireworks factory at Garretson, Staten Island, wrecked nine other buildings and destroyed \$15,000 worth of property. The factory consists of forty-five small detached buildings, covering some ten acres of the plain between Donagan Hills and the lower New York Bay. The building in which the explosion occurred was eight feet wide, fifteen feet long, one story in height and contained a quantity of gunpowder. There was no one in the building at the time of the explosion and it is believed to have been caused by spontaneous combustion.

Houses were shaken for a distance of three miles and window glass was shattered in nearly all of the houses and stores for miles and a half around the factory site. The building in which the explosion occurred was lifted high in the air and a great cloud of white smoke arose and hung above the factory site for fifteen minutes.

There were twenty employees at work at the factory, but few of them were in the buildings adjacent to that in which the explosion occurred and only two of them were injured although several were knocked down by the force of the explosion. Miss Jennie Slinnot, 18 years old of Gramere, was in one of the wrecked buildings and was cut by flying splinters. Fannie Tanner of Garretson was painfully burned. Both were attended by a physician and were able to go to their homes. The majority of the employees at the factory are young women and some of them fainted of fright.

\$2,339,500 IN KLONDIKE GOLD.

Steamer St. Paul Brings That Amount to San Francisco From the North.

SAN FRANCISCO, July 23.—The big steamer St. Paul arrived this evening direct from St. Michaels, bringing six tons of gold from Dawson and other points on the Yukon, valued at \$2,339,500. This treasure ship differed from those which came during the first year of the Klondike boom as most of her gold was consigned to large commercial companies, and the two scores of returned miners had little money to show for their hard work and hardships.

The large consignees are the Alaska Commercial Company, \$600,000; the Selby Smelting Works, \$260,000; the Canadian Bank of Commerce, \$750,000. Among the miners a man named Miller brought the largest sack, and he had only \$20,000 in gold dust and nuggets.

The only prominent passengers were Gov. William Ogilvie and Bishop Rowe, who were seated in the front of the steamer. The steamer had been fogbound off the Golden Gate since Sunday morning, the captain not daring to enter with his valuable cargo.

JUMPED FROM THE BRIDGE.

MAN DODGED WOULD-BE RESCUERS AND DROPPED.

Crowded Trolley Car Washed Him With Steam. Steamer Benthay Patted Out of His Way—Craft in River Went to Rescue, but He Wasn't Found—His Identity Unknown.

A man jumped to his death from the Brooklyn Bridge shortly after 6 o'clock last night. Passengers on a Brighton Beach trolley car saw the man leap from a truck, and scaling the side rails of the Bridge, drop into the river below. Patrick McDevore, the conductor, saw him make for the railings, and leaving his car, attempted to grab him. The man ducked, dropping his hat. As he drew himself up to the top girder he shouted to the conductor: "You can have my hat, but not me!" With that he jumped. The hat, which was a soft gray felt, was taken to the station of the Bridge police in Brooklyn, but there were no marks on it by which the man could be identified.

One of the trolley car passengers who saw him leap was C. Lichtenstein of 121 West Forty-second street. "I was coming from the racetrack," Mr. Lichtenstein said. "When we were about the middle of the bridge the car stopped rather suddenly. It had been standing still for a minute or two before I noticed that the motorman was in conversation with a man who was outside the bridge railing, and was clinging to it with both hands. My first thought was that he was a tramp, and I thought that he had looked rather wild for a man who had any settled duty to do. He had no tools and was simply clinging there looking down at the river and jabbering to the motorman. I was in the back of the car and could not hear what they were saying."

"I looked down at the river and saw a big steamship passing underneath. Then I saw the man jump. He was caught sight of by the boat beneath to get out of the way. I said to myself, 'I can't sit here and let anything like this happen right in front of me.' I got off the car and began walking toward the man on the edge of the bridge as easily and quietly as I know how. I thought that he was a tramp, and I thought that the car nearer to him than I was who might have reached him before that boat was out from under him. But when I was within two steps of him he caught sight of me and gave one quick look down at the sidewalk below. It was out of his way. When I almost had my hands on him he was within two steps of him he shouted: 'Well, good-by, everybody,' and dropped off. I saw him fall to the river, saw him strike and then sink. He rose once, but was helpless to do as he wished. Then he went down again and did not come up."

The man is described as about 40 years old, 5 feet 7 inches in height and respectively thin and fat. The captain of the steamer which was passing at the time of the jump saw him hit the river. They at once turned the prow of their boats to the spot where he went down, but he was not seen to rise. The two boats hung round for ten minutes or so and continued on their way when there was no longer any doubt that the jumper had been killed.

RECEIVER FOR CATTLE COMPANY.

The Capital Syndicate of Texas With 3,000,000 Acres of Land in Difficulty.

DALLAS, Tex., July 23.—The Capital Syndicate Cattle Company, the largest in the world, with 3,000,000 acres of land in the Texas Panhandle, 200,000 head of cattle and a capital stock of \$10,000,000, is in financial straits. The company was organized in 1880. The directors expressed regret that Mr. Rockefeller had retired, for they recognized that it was due to his business acumen and personal attention to the affairs of the company that the surprising dividend of 6 per cent, was paid on its capital stock last year and from 35 to 50 per cent in some other years.

It was reported several weeks ago that Mr. Rockefeller had disposed of his stock in the company, and while the Standard Oil magnate has given no reason for selling, it is believed that he has been persuaded somewhat of business care and have his attention directed to other business interests. The Greenwich Water Company has been a pet project of Mr. Rockefeller. With E. C. Borden as president, it has received a grant of the 475,000 of the original capital stock and advanced the money necessary to carry out the project. The company has recently acquired all the rights of the Riverwater Water Company in the southern part of Westchester county, and the watershed of the region through which they pass, and also the rights of the water supply of the Hudson River. They practically give the company control of all the water supply of the Hudson River, and the water supply of the city of New York. It is the purpose of the directors to continue the business of the company, and to build the pipes and the pipes will be laid in the near future to include every town of importance in the southern part of Westchester county, and also a part of the borough of The Bronx.

The supply of water is ample and the quality is excellent. The directors expect the income will be largely increased, and the dividends will put it in the class of the great money-making corporations of the country that have made the Rockefeller name famous.

YEAR'S CHASE AFTER HER SON.

Wealthy Texas Woman Finally Finds Him in a St. Louis Jail—His Mind Weak.

ST. LOUIS, Mo., July 23.—Over a year ago Mrs. Margaret Ash, a wealthy woman of Texas, began searching for her son Abe, who suddenly and mysteriously disappeared. Today she found him in the St. Louis jail under a charge of attempted burglary and carrying concealed weapons. She gave bail and he was released to await trial. Mrs. Ash is 34 years of age, and according to her mother-in-law is affected. He once spent some time in an asylum. The arrest took place in front of the boarding house of Mrs. Gross on Delmar avenue. A few days before Mrs. Ash was told that her son had been seen in the rear of the house and was caught and taken into custody.

It is said that the young man has a fortune in his own right amounting to \$700,000. Last summer she went to Colorado from her home in Dallas, and it was there that she was told that her son had been seen in the rear of the house and was caught and taken into custody.

For Vacation Trip, One Day More, Send a Card to Hudson River Day Line, 2nd Ave., New York.

PEACE NEGOTIATIONS UNDER WAY?

Reports in London That Steps Are Being Taken to End the War.

Special Cable Despatch to THE SUN. LONDON, July 24.—The Daily News says it hears that negotiations for peace in South Africa are proceeding in London.

ACCUSED OF MANY MURDERS.

Reward Offered for Capture of Oregon Real Estate Man—Body of One Victim Found.

SAN FRANCISCO, July 23.—Coquille River district, a remote settlement in southwestern Oregon, near the California border line, is greatly wrought up over four recent murders charged against M. B. Landis, a real estate agent. He is accused of plotting persons into the Redwoods to locate claims and then murdering them for their money. One thousand dollars reward is offered for the capture of Landis, who disappeared from his haunts at Coquille City on June 15, when the body of Jesse B. Eudally, believed to be one of his victims, was found.

Landis had taken Eudally into the mountains to locate a timber claim. As told here, the story is that he returned without Eudally and said the latter had caught a boat for California. Two boys report that they saw Landis burying something in the woods. They thought it was Eudally's body. He had been known to have \$200, but nothing was found on his body. Since this discovery half a dozen cases of similar disappearances have been recalled.

SUMMER SCHOOL STUDENTS STRIKE.

No One to Attend the Recitations at Storrs College in Connecticut.

WATERBURY, Conn., July 23.—The summer classes at Storrs College went on strike today. None of the students appeared at recitations. This was a tribute of sympathy for four retired professors, one of whom, Dr. Mayo, in the veterinary department, was a great favorite. The doctor, who had been in Michigan for a week, was much surprised over the dismissal and the protest of the students.

CHRISTIAN TO HOLD THE OFFICE.

A Church Trustee to Fill the Term of a Man Whose Conscience Made Him Quit.

MCKEESPORT, Pa., July 23.—Thomas C. Baldrige was elected to the McKeesport Common Council at a special election today to fill the vacancy caused by the resignation of Harry L. Abbott, who resigned because he did not believe a Christian could sit in McKeesport Council and save his soul.

MRS. NATION HYSTERICAL IN JAIL.

Found on Her Cell Door Three Hours—Governor Refuses to Pardon Her.

TOPEKA, Kan., July 23.—Mrs. Carrie Nation, who is serving a jail sentence for smashing private property in which a saloon was located, began operations on the County Jail today, but the big iron doors and the steel bars were too strong for her. She pounded on the cell door three hours while the thermometer was kept cool and while Sheriff Cook advised her to keep cool she persisted in her laborious exercise. Mrs. Nation refused to be comforted.

BENDER MURDERERS FOUND!

Kansas Governor Grants Requisition for a Suspected Family in Colorado.

TOPEKA, Kan., July 23.—Gov. Stanley today granted a requisition on the State of Colorado for the famous Bender family murderers. Colorado officials believe they have the Benders located in the extreme northwestern part of the State of Colorado. A reward of \$10,000 is offered for their arrest.

Twenty years ago the Benders were squatters on land in the western part of Labette county. The family lived apart from their neighbors and conducted a country hotel. Travelers were lured to their hotel and murdered and the bodies were buried in the cellar of the hotel or in the cellar. Eleven bodies were dug up on the place after the community became suspicious of the Benders. The house was equipped with a death trap which let victims fall into the cellar, where they were knocked in the head by John Bender, Jr., who stood by with an axe.

BISHOP'S WIFE LEFT ALL TO HIM.

Will of Mrs. Henry C. Potter Disposes of \$20,000 Personally.

The will of Mrs. ELIZA R. Potter, wife of Bishop Henry C. Potter, was filed for probate yesterday. The petition states that she left no realty, but \$20,000 in personality. The will is dated at 19 North Washington Square on June 20, 1901, and reads: "I hereby give and bequeath to my husband, Henry C. Potter, all my property, real and personal, as at date aforesaid, and I desire that the sole executor of this my last will and testament shall be my said husband, and he is authorized to be required to give bond."

Lake Michigan Excursion Boat Sinks.

Saginaw, Mich., July 23.—The steamboat City of New Baltimore, running between here and Tawas, struck a snag last night and sank in the river, three miles from here. The boat was returning from an excursion to Fort Leavenworth when it struck a snag and began to fill. Word was sent here by telegraph and the tug McClain was sent out to take of the passengers. All on board were rescued and were safely at an early hour this morning. The boat could be saved.

FOSBURGH PROSECUTION IN THE PITTSFIELD TRIAL.

Chief Nicholson Tells All He Knows in the Case—No Surprise Brought Out—Familiar Kind of Cases—Members of the Family Will Go On the Stand—Offending Reporters Shut Out.

PITTSFIELD, Mass., July 23.—The case of the State against Robert Stewart Fosburgh was all in at half-past 8 o'clock this afternoon and Mr. Joyner for the defence got well along in his opening to the jury when Court adjourned for the day at quarter to 5 o'clock. At the pace at which things are now moving it does not look as though the trial could last more than three days more. Probably the witnesses for the defence will be very few outside of the actual members of the Fosburgh family.

There are a few neighbors living very near the Fosburghs who were first on the scene after the tragedy who are subpoenaed and who are expected to tell the condition of the family at the time they came to their help in response to summons. Upon these and upon the testimony of the members of the family the defence will chiefly rely to dispel whatever atmosphere of suspicion the witnesses for the State has been able to throw over the stories and the actions of those who were in the house at the time they were killed.

Before the jury took their seats this morning Judge Stevens came up on the bench and it was evident from his manner that he had something to say. There was no very long suspense of waiting to find out what the something was. His attention had been called, he said, to certain publications purporting to give an account of what members of the Fosburgh family had done on Sunday last on the occasion of a visit to the cemetery. This matter as published was grossly calculated to defeat the ends of justice if it reached the jury.

The Judge then named three New York morning newspapers, the World, the Herald and the Journal, and said that while the proprietors of the same could not be reached because they were beyond his jurisdiction, it was no more than proper that the reporters of those papers be excluded from the trial and this he directed the Sheriff to do at once carry into effect. Court officers then directed the reporters in question to leave the room, which they did, and the case proceeded.

CHIEF NICHOLSON A DISAPPOINTMENT.

The star witness of the day was the long-expected Chief Nicholson, who, it was anticipated, would throw some very startling light on the case, as he has been working on it with such ardor for nearly a year.

But still once again there was disappointment. Chief Nicholson's testimony differed little in its general outline from that of the other police officers and doctors who have testified as to reaching the house soon after the tragedy occurred. By Chief Nicholson, however, the State did bring out the discovery of burned matches on the floors of various apartments in the Fosburgh house and these matches were exhibited in evidence.

The first important point in the Chief's evidence was when he testified as to the presence of the jewels in the spare room, which the family have testified the burned matches were found in the morning. The Chief looked at the door leading to the balcony. The screen door was hooked on the inside. The officer returned to the main room and the Chief testified that he met the defendant, his brother and father, Robert L. Fosburgh. He had a conversation with the elder Fosburgh, James, and the father of the defendant, James, and a bullet, James said he had found the ball in the comb case.

On the second visit to the house the Chief made a search of the cellar, the attic and stairs. On the back stairs he found some matches, also some of the stairs leading from the attic to the kitchen bedroom.

He picked up these burned matches. I also found more in the attic, and others in the kitchen bedroom," repeated the witness. The Chief testified that James B. A. Fosburgh had some matches in the kitchen bedroom, and that he had found the ball in the comb case.

Following the testimony of Chief Nicholson, the testimony of James B. A. Fosburgh and other witnesses was taken. The defendant, James B. A. Fosburgh, brought some more matches to the Chief. He said he had found them in the attic room in the house.

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THE DEFENSE OPENS.

This closed Chief Nicholson's testimony and in the conclusion the State having rested the defence called the Court to instruct the jury to find a verdict for the defendant on the ground that no evidence of guilt had been produced. The Court declined to do so, and Mr. Joyner began his

STATE RESTS AND DEFENCE OPENS IN THE PITTSFIELD TRIAL.

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CHIEF NICHOLSON A DISAPPOINTMENT.

The star witness of the day was the long-expected Chief Nicholson, who, it was anticipated, would throw some very startling light on the case, as he has been working on it with such ardor for nearly a year.

But still once again there was disappointment. Chief Nicholson's testimony differed little in its general outline from that of the other police officers and doctors who have testified as to reaching the house soon after the tragedy occurred. By Chief Nicholson, however, the State did bring out the discovery of burned matches on the floors of various apartments in the Fosburgh house and these matches were exhibited in evidence.

The first important point in the Chief's evidence was when he testified as to the presence of the jewels in the spare room, which the family have testified the burned matches were found in the morning. The Chief looked at the door leading to the balcony. The screen door was hooked on the inside. The officer returned to the main room and the Chief testified that he met the defendant, his brother and father, Robert L. Fosburgh. He had a conversation with the elder Fosburgh, James, and the father of the defendant, James, and a bullet, James said he had found the ball in the comb case.

On the second visit to the house the Chief made a search of the cellar, the attic and stairs. On the back stairs he found some matches, also some of the stairs leading from the attic to the kitchen bedroom.

He picked up these burned matches. I also found more in the attic, and others in the kitchen bedroom," repeated the witness. The Chief testified that James B. A. Fosburgh had some matches in the kitchen bedroom, and that he had found the ball in the comb case.

Following the testimony of Chief Nicholson, the testimony of James B. A. Fosburgh and other witnesses was taken. The defendant, James B. A. Fosburgh, brought some more matches to the Chief. He said he had found them in the attic room in the house.

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THE DEFENSE OPENS.

This closed Chief Nicholson's testimony and in the conclusion the State having rested the defence called the Court to instruct the jury to find a verdict for the defendant on the ground that no evidence of guilt had been produced. The Court declined to do so, and Mr. Joyner began his